

TOWN OF LOOMIS

ADMINISTRATIVE POLICIES AND PROCEDURES

HARASSMENT POLICY

Effective Date: 5/11/1993

Resolution:

PURPOSE

The purpose of this policy is to establish a strong commitment to prohibit any kind of harassment in employment with the Town of Loomis.

POLICY

Harassment of an applicant or employee by a supervisor, management employee, or co-worker on the basis of race, religion, color, national origin, ancestry, handicap, disability, medical condition, marital status, sex or age will not be tolerated. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation and training.

Disciplinary action up to and including termination will be instituted for behavior described in the definition of harassment set forth below.

Any retaliation against a person for filing a harassment charge or making a harassment complaint is prohibited. Employee(s) found to be retaliating against another employee shall be subject to disciplinary action up to and including termination.

DEFINITION

Harassment includes, but is not limited to:

A. Verbal Harassment

For example, epithets, derogatory comments or slurs on the basis of race, religious creed, color, national origin, ancestry, handicap, disability, medical condition, marital status, sex or age. This might include inappropriate sex oriented comments on appearance, including dress or physical features or race oriented stories.

B. Physical Harassment

For example, assault, impeding or blocking movement when directed at an individual on the basis of race, religion, color, national origin, ancestry, handicap, disability, medical condition, marital status, age or sex. This could be conduct in the form of pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

C. Visual Forms of Harassment

For example, derogatory posters, notices, bulletins, cartoons, or drawings on the basis of race, religious creed, color, national origin, ancestry, handicap, disability, medical conditions, marital status, sex or age.

D. Sexual Favors

Unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature which is conditioned upon an employment benefit, unreasonably interferes with an individuals' work performance or creates an offensive work environment.

RESPONSIBILITY

Each employee is responsible to insure that his or her conduct or actions do not violate the law or this policy, or actively or passively condone any form of harassment. Any employee who feels this policy has been violated is requested to make appropriate notification following the complaint procedure set forth below.

COMPLAINT PROCEDURE

A. An employee who believes he or she has been harassed should contact either of the following and make oral or written complaint:

1. Immediate supervisor; or
2. Town Manager.

If the complaint is made orally, a written and signed statement of the complaint must be submitted by the complaining employee within five (5) business days of the initial report so an investigation can proceed into the matter. It is the intent of this process however, that an attempt be made to resolve any complaint at the lowest level possible. Any complaint filed is confidential.

B. Within five (5) business days after receipt of the written complaint, the Town Manager will contact the person who allegedly engaged in the harassment, and inform him or her of the basis of the complaint and the opportunity to respond. That person will have seven (7) business days to respond to the complaint.

C. Within five (5) business days after receipt of the response, the Town Manager will determine whether harassment has occurred. Both parties will be notified in writing of the decision.

D. If it is determined that harassment has occurred, appropriate disciplinary action up to and including discharge will be taken. The severity of the discipline will be determined by the severity and/or frequency of the offense.

E. An employee's failure to report the occurrence of harassment within fourteen (14) calendar days will be deemed a waiver any Town action. Failure to file a written complaint within five (5) business days of the initial report will be considered a withdrawal of that report. If the person against whom the complaint of harassment is filed fails to respond to the complaint within seven (7) business days of notifications, the complaint will be taken as true, and the appropriate disciplinary measure will be taken.

This policy also applies to elected officials as well as Commission/Committee members appointed by the Town Council.